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February 14, 2024

**BY ECF**

Honorable Analisa Torres  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Furet v. City of New York, et al.,  
22 Civ. 3172 (AT)

Your Honor:

I represent defendants the City of New York and Logan Payano in the above-referenced matter. Defendants City and Payano write to respectfully request an extension of time to file their motion to quash the subpoena to testify at a deposition plaintiff has directed to a non-party undercover officer—to the extent defendants ultimately move to quash the subpoena—from February 16, 2024, until February 27, 2024.

By way of background, on January 26, 2024, plaintiff filed an affidavit of service indicating that he served a subpoena to testify at a deposition on a “John Doe” officer at the Narcotics Borough Manhattan South. Plaintiff has indicated to defendants City and Payano that he seeks to depose a non-party undercover officer. It is defendants City and Payano’s position that the subpoena should be quashed. On January 28, 2024, defendants City and Payano filed a letter requesting that the Court allow them until February 16, 2024, to file their motion to quash (ECF No. 47), which the Court granted (ECF No. 48).

Defendants City and Payano have conferred with plaintiff’s counsel pursuant to the Court’s Individual Practices, and plaintiff has agreed to table scheduling the deposition at issue pending the review of documents which defendants will produce shortly, in response to plaintiff’s latest set of Document Requests. As such, in order to avoid potentially unnecessary motion practice, defendants City and Payano respectfully request that the Court extend their time to file a motion to quash, if any, from February 16, 2024, to February 27, 2024, to allow the parties to continue conferring regarding this issue.

Thank you for your time and consideration.

Respectfully submitted,

/s/ Zachary Kalmbach  
Zachary Kalmbach  
*Senior Counsel*

cc: **Via ECF**  
All counsel of record

GRANTED.

SO ORDERED.

Dated: February 15, 2024  
New York, New York

  
ANALISA TORRES  
United States District Judge